

- ☐ **Option A – Add**, to transfer ownership of a transferable Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit, the original entity to which the permit is issued must notify the department of the change in ownership, and submit a non-refundable transfer fee of
- ☐ **\$250 – \$1000.**
If chosen, then transfer fee is \$_____.

Transfer of Permits to Replacement Vessels (Section 149.1 (o))

Transfer of Market Squid Vessel Permits (MSFMP Management Option K)

- ☐ **Option A – Add**, the owner of a vessel with a valid transferable Market Squid Vessel Permit may transfer the permit to another person who is the owner of
- ☐ **A replacement commercial fishing vessel or**
- ☐ **A replacement commercial fishing vessel of comparable capacity.**

Transfer of Market Squid Brail Permits (MSFMP Management Option L)

- ☐ **Option A – Add**, the owner of a vessel with a valid transferable Market Squid Brail Permit may transfer the permit to another person who is the owner of
- ☐ **A replacement commercial fishing vessel or**
- ☐ **A replacement commercial fishing vessel of comparable capacity.**

Transfer of Market Squid Light Boat Permits (MSFMP Management Option M)

- ☐ **Option A - Add** Transferable Market Squid Light Boat Permit issued to an individual, partnership or corporation may be transferred to another entity
- ☐ **Who is the owner of a replacement commercial fishing vessel, or**
- ☐ **Who is the owner of a replacement commercial fishing vessel if an additional Market Squid Light Boat Permit is also purchased and surrendered to the department at the time of the transfer.**

Market Squid Brail Permit Upgrade (Section 149.1 (q)) (MSFMP Management Option M.4)

- ☐ **Option A – Add**, purchase of a Transferable Market Squid Brail Permit by a permittee who holds a Transferable Market Squid Light Boat Permit may occur with surrender of
- ☐ **One, or**
- ☐ **Two, or**
- ☐ **Three additional Transferable Market Squid Light Boat Permits.**

Option to Allow for Incidental Take (Section 149(h)) (MSFMP Management Option F)

- ☐ **Option A – Add,** it is unlawful to take, land, or possess in excess of two tons of squid per trip or per calendar day except as authorized under a Market Squid Vessel Permit or a Market Squid Brail Permit as described in subsection 149.1(b), or for purposes of live bait only.

Option to Specify Forfeiture Process (Section 149(i))

- ☐ **Option A – Add,** squid landed or possessed in violation of the allowance specified in subsection (h) above shall be forfeited to the department by the signing of an official release of property form.

Option to Clarify Authorized Use of Light to Aggregate Squid (Section 149(j))

- ☐ **Option A – Add,** it is unlawful to attract squid by light except as authorized under permits described in Section 149.1(b).

Option to Clarify to Whom Violations of this Section May be Issued (Section 149(k))

- ☐ **Option A – Add,** citations for violations of this Section may be issued to the vessel operator, crewmembers, and/or the holder of a market squid permit issued

Restricted Access Permit Administration

Permit, Transfer and Upgrade Fees (Section 149.1 (i)) (MSFMP Management Option J)

The department shall charge an annual fee for a permit of each permit class as follows:

- ☐ **Option A - Market Squid Vessel Permit – Transferable**
- ☐ **~~\$400 – \$5,000.~~**
If chosen, then permit fee is \$_____.
- ☐ **Option B - Market Squid Vessel Permit – Non-Transferable** (if chosen, above)
- ☐ **~~\$400 – \$5,000.~~**
If chosen, then permit fee is \$_____.
- ☐ **Option C - Market Squid Brail Permit – Transferable**
- ☐ **~~\$400 – \$5,000.~~**
If chosen, then permit fee is \$_____.
- ☐ **Option D - Market Squid Brail Permit – Non-Transferable** (if chosen, above)
- ☐ **~~\$400 – \$5,000.~~**
If chosen, then permit fee is \$_____.
- ☐ **Option E - Market Squid Light Boat Permit – Transferable**
- ☐ **~~\$400 – \$5,000.~~**
If chosen, then permit fee is \$_____.
- ☐ **Option F -** The department shall charge a non-refundable fee of **~~\$250 – \$1000~~** for each permit transfer. If more than one permit is involved in the transfer based on provisions defined in subsection (o), a total of
- ☐ **~~\$250 – \$1000~~** shall be charged for the transaction.
If chosen, then transfer fee is \$_____.
- ☐ **Option G -** The department shall charge a non-refundable fee of **~~\$400 – \$5,000~~** for each Market Squid Brail Permit Upgrade based on provisions defined in subsection (q).
- ☐ **~~\$400 – \$5,000.~~**
If chosen, then upgrade fee is \$_____.

Change of Vessel Ownership (Section 149.1 (l)) (MSFMP Management Option N)

☐ **B. At the Farallon Islands:**

- ☐ Including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock, or

☐ **3. Set larger closure area for northern California:**

- ☐ **A. All waters of the Gulf of the Farallones National Marine Sanctuary**

Gear Restrictions

Wattage Limitation (Section 149(c)) (*MSFMP Management Option O*)

- ☐ **Option A – Maintain** current requirements (maximum 30,000 Watts)
- ☐ **Option B – Eliminate** current requirements.
- ☐ **Option C – Change** allowable wattage level.
- ☐ **Wattage Level: 15,000 – 30,000 Watts**
If chosen, then maximum allowable wattage limitation is _____ watts.

Light Shields (Section 149(d)) (*MSFMP Management Option O*)

- ☐ **Option A – Maintain** current requirements (shields required).
- ☐ **Option B – Modify** current requirements - The lower edges of the shields shall be parallel to the deck of the vessel.
- ☐ **Option C – Eliminate** current requirements.

Management/Administrative

Monitoring

Logbooks (Section 149(b)) (*MSFMP Management Option E*)

- ☐ **Option A – Maintain** current requirements (Logbooks required).
- ☐ **Option B – Eliminate** Current Requirements.

Options for Monitoring Program MSFMP (Sections 53.00-53.03) (*MSFMP Management Option E*)

- ☐ **Option A - Maintain** existing squid monitoring programs, especially programs aimed at the development of management models including port sampling data and logbook information.
- ☐ **Option B - Eliminate** existing squid monitoring programs.

Options for a Market Squid Advisory Committee MSFMP (Sections 53.00-53.03) (*MSFMP Management Option Q*)

- ☐ **Option A - Establish** one advisory committee for the squid fishery, which includes scientific, environmental and industry representatives.
- ☐ **Option B - Maintain** the two committee system: one from the scientific community and one from industry.
- ☐ **Option C – Eliminate** the advisory committee for the squid fishery.

Enforcement

Permits for Taking of Market Squid for Sale as Live Bait (Section 149.2) (*MSFMP Management Option F*)

- ☐ **Option A – Add a permit for taking of market squid for sale as live bait.** New Permit required. On and after April 1, 2005, any owner of a vessel which takes market squid for live bait purposes shall have a valid Market Squid Live Bait Permit for that vessel that has not been suspended or revoked (additional regulations would be required).

Ecological/Habitat

Harvest Replenishment/General Habitat Closure Areas

Harvest replenishment and general habitat closure areas provide for specific areas where no squid fishing can occur. Harvest Replenishment Areas provide areas of uninterrupted spawning. General habitat closures are intended to prevent squid fishery interactions in areas that have not been traditionally utilized for commercial squid fishing and where there is the potential for interactions with non-target species such as salmon, seabirds and marine mammals. In addition, the market squid resource is a significant forage component in the diets of seabirds, marine mammals and fish and these areas will act as forage reserves for many of these species.

Harvest Replenishment Areas (Section 149(g)) (*MSFMP Management Option G*)

- ☐ **Option A – Add Harvest Replenishment Area for squid.**
Market squid may not be taken for commercial purposes in waters less than 100 fathoms in depth contiguous to San Nicholas Island.

General Habitat Closures (Section 149(g))

- ☐ **Option A - Add General Habitat Closure Area for squid.** Squid may not be taken for commercial purposes **north of Pillar Point at any time.**
- ☐ **Option B - Add General Habitat Closure Area for squid.** Squid may not be taken for commercial purposes in any waters of the **Gulf of the Farallones National Marine Sanctuary.**
- ☐ **Option C - Add General Habitat Closure Area for squid.** Squid may not be taken for commercial purposes in waters extending offshore **one nautical mile from the mean high water mark of Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock.**
- ☐ **Option D - Add General Habitat Closure Area for squid.** Squid may not be taken for commercial purposes in **District 10.**

Time/Area Closures for Seabird Protection

The squid fishery has the potential to impact seabirds by the use of strong lights and increased noise which can disrupt nesting and other behaviors. At the Channel Islands, the squid fishery can interact with three species of seabirds: the California brown pelican, Xantus's murrelet, and ashly storm-petrel. Brown pelicans are federally and State-listed as endangered. Xantus's murrelets are presently a candidate species for State listing. Ashly storm-petrels are classified by the Department and the U.S. Fish and Wildlife Service as a species of special concern. In addition to these three species, there are another 9 species that breed on Santa Barbara, Anacapa and San Miguel islands, five of which are species of special concern. The Farallon Islands is one of the largest and most diverse seabird colonies in the continental U.S. and provides critical nesting habitat for 13 species of seabirds.

Seasonal Closure Areas for Seabird Protection (Section 149(g)) (*MSFMP Management Option P*)

- ☐ **Option A – Add Seasonal Closure Areas for Seabird Protection from 1 February through 30 September.**
If Option A, then,
 - ☐ **1. Set fishing conditions:**
 - ☐ **A. Market squid may not be taken for commercial purposes, or**
 - ☐ **B. Market squid may not be taken for commercial purposes utilizing attracting lights**
- and,
 - ☐ **2. Set closure areas within 1 nautical mile from mean high water:**
 - ☐ **A. At the following Channel Islands:**
 - ☐ **Anacapa Island and Santa Barbara Island, or**
 - ☐ **San Miguel Island, Anacapa Island, and Santa Barbara Island**

Market Squid Light Boat Permit The individual, partnership or corporation must be the owner of a commercial fishing vessel that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and

- ☐ 1. Have been issued a Squid Light Boat Owner's Permit for the
 - ☐ 2003-04, or
 - ☐ 1998-99 permit year that has not been suspended or revoked.

☐ **Option C – Eliminate the Market Squid Permit Program**

Experimental Market Squid Vessel Permits (Section 149.3)

☐ **Option A – Add**, the commission may issue

- ☐ **1- 5 experimental market squid vessel permits.**

If chosen,
the number of experimental market squid vessel permits is _____

And, these permits are either

- ☐ **Transferable, or**
- ☐ **Non-Transferable** Market Squid Vessel Permits as described in Section 149.1 to any individual for placement on any vessel for purposes of developing a squid fishery in areas previously not utilized for squid production.

Market Squid Fishery Regional Control Date (Section 149.4)

☐ **Option A – Add a regional restricted access control date.** A control date of

- ☐ **April 1, 1998 – October 17, 2003** is established for the purpose of considering a future regional restricted access program for the market squid fishery. Fishery participation on or after this date may apply toward a permit for a specified geographic region under a future regional restricted access program for the market squid fishery if one is developed.

If chosen,
the **regional restricted access control date** is _____

Initial Issuance Criteria: A Market Squid Vessel Permit may be issued to an individual, partnership or corporation that is the owner of a commercial fishing vessel with a **Market Squid Vessel Permit or a Squid Light Boat Owner's Permit for the 2003-04 permit year**, and

- ☐ **i. Window Period** – Have submitted to the department at least one market squid light boat logbook form (DFG 149b) with fishing activity dated on or prior to
 - ☐ **December 31, 2000, or**
 - ☐ **December 31, 2001, or**
 - ☐ **December 31, 2002**

Capacity Goals (Section 149.1 (m)) (MSFMP Management Option H)

- ☐ **1. The capacity goal for [transferable and non-transferable] or [transferable] or [non-transferable] Market Squid Vessel Permits is**
 - ☐ **10 or**
 - ☐ **52 or**
 - ☐ **104 or**
 - ☐ **10 - 104**If chosen,
the capacity goal is _____ market squid vessels permits
 - ☐ **2. The capacity goal for [transferable and non-transferable] or [transferable] or [non-transferable] Market Squid Brail Permits is 18.**
 - ☐ **3. The capacity goal for [transferable] or [non-transferable] Market Squid Light Boat Permits is**
 - ☐ **10, or**
 - ☐ **52, or**
 - ☐ **104**
 - ☐ **10 - 104 (Department's Preferred is 34)**If chosen,
the capacity goal is _____ lightboat permits
 - ☐ **4. The capacity goal for [transferable and non-transferable] or [transferable] or [non-transferable] Market Squid Brail Permits and Market Squid Light Boat Permits combined shall equal the capacity goal for Market Squid Vessel Permits established in this subsection.**
- ☐ **Option B – Maintain current Moratorium Program**
If Option B chosen, then

Classification of Permits and Permit Authorization (Section 149.1 (b-h)) (MSFMP Management Option I.5)

Alternative language to subsections (b) and (c), permit classes and initial issuance criteria (MSFMP options I.2 and I.3, which maintain existing moratorium permit classes and criteria).

Market Squid Vessel Permit The individual, partnership or corporation must be the owner of a commercial fishing vessel that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and

- ☐ **1. Have been issued a Market Squid Vessel Permit for the**
 - ☐ **2003-04, or**
 - ☐ **1998-99 permit year that has not been suspended or revoked.**

- ☐ **January 1, 1990, through December 31, 2002**
- ☐ **ii. Minimum Landings – Made at least**
 - ☐ **5, or**
 - ☐ **10, or**
 - ☐ **15, or**
 - ☐ **20, or**
 - ☐ **25 landings during window period**
- ☐ **B. Market Squid Brail Permit – Non Transferable**
Initial Issuance Criteria: Consistent with Fish and Game Code Section 8101, the individual must have been licensed as a California commercial fisherman for at least 20 years at the time of application, **and**
 - ☐ **Minimum Landings – Made at least 10 landings of market squid during any one license year.**
- ☐ **2. Market Squid Brail Permits are designated as transferable** (20 year qualifiers would be transferable).
 If chosen, then
 - A. Market Squid Brail Permit - Transferable**
Initial Issuance Criteria:
 - ☐ **i. Window Period – Made minimum number of landings of market squid from**
 - ☐ **January 1, 1990, through November 12, 1999**
 - ☐ **January 1, 1990, through December 31, 2000**
 - ☐ **January 1, 1990, through December 31, 2001**
 - ☐ **January 1, 1990, through December 31, 2002**
 - ☐ **ii. Minimum Landings – Made at least**
 - ☐ **5, or**
 - ☐ **10, or**
 - ☐ **15, or**
 - ☐ **20, or**
 - ☐ **25 landings during window period**
 - ☐ **iii. 20 year Qualifiers.** Consistent with Fish and Game Code Section 8101, the individual must have been licensed as a California commercial fisherman for at least 20 years at the time of application, **and**
 - ☐ **Minimum Landings – Made at least 10 landings of market squid during any one license year.**
- ☐ **3. Market Squid Brail Permits are designated as non-transferable.**

Market Squid Light Boat Permit: Authorizes only the use of lights as specified in regulation to aggregate squid for purposes of commercial harvest.

Transferability:

- ☐ **1. Market Squid Light Boat Permits are designated as transferable only.**
 If chosen, then
 - A. Market Squid Light Boat Permit - Transferable**

Initial Issuance Criteria: Consistent with Fish and Game Code Section 8101, the individual must have been licensed as a California commercial fisherman for at least 20 years at the time of application, **and**

☐ **i. Minimum Landings – Made at least**

☐ **33 or**

☐ **50** landings of market squid during any one license year.

☐ **2. All Market Squid Vessel Permits are designated as transferable.**

If chosen, then,

Market Squid Vessel Permit - Transferable

Initial Issuance Criteria:

☐ **i. Window Period – Made minimum number of landings of market squid from**

☐ **January 1, 1990, through November 12, 1999 or**

☐ **January 1, 1990, through December 31, 2000 or**

☐ **January 1, 1990, through December 31, 2001 or**

☐ **January 1, 1990, through December 31, 2002**

☐ **ii. Minimum Number of Landings – Made at least**

☐ **50, or**

☐ **75, or**

☐ **100, or**

☐ **125, or**

☐ **150** landings during window period

☐ **iii. 20 year qualifiers.** Consistent with Fish and Game Code Section 8101, the individual must have been licensed as a California commercial fisherman for at least 20 years at the time of application, and made at least

☐ **33, or**

☐ **50** landings of market squid during any one license year.

☐ **3. Market Squid Vessel Permits are designated as non-transferable.**

Market Squid Brail Permit: authorizes the use of brail gear including dip and scoop nets to take market squid for commercial purposes.

Transferability:

☐ **1. Market Squid Brail Permits are designated as either transferable or non transferable (20 year qualifiers would be non transferable).**

If chosen, then

A. Market Squid Brail Permit - Transferable

Initial Issuance Criteria: A Market Squid Vessel Permit may be issued to an individual, partnership or corporation that is the owner of a commercial fishing vessel with a **Market Squid Vessel Permit for the 2003-04 permit year**, with

☐ **i. Window Period – Made minimum number of landings of market squid from**

☐ **January 1, 1990, through November 12, 1999**

☐ **January 1, 1990, through December 31, 2000**

☐ **January 1, 1990, through December 31, 2001**

Restricted Access

The MSFMP bases its approach to restricted access upon the Fish and Game Commission's restricted access policy, and presents a capacity goal, initial issuance criteria and transferability options for the commercial market squid fishery. Restricted access programs are primarily designed to address economic inefficiency associated with excess harvest capacity in open access fisheries. In the market squid fishery, the main objective of the restricted access program is to match resource availability to fleet size to assure economic viability.

Restricted Access Permits and Permit Authorization (Section 149.1 (b)) (MSFMP Management Option I)

☐ **Option A – Establish a Restricted Access Program – Permit Required**

If Option A, then,

Classification of Permits and Permit Authorization (Section 149.1 (b-h))

Market Squid Vessel Permit authorizes the use of round haul gear, including purse seine, drum seine and lampara nets for commercial harvest. Use of brail gear, including dip and scoop nets, is also authorized. No other gear is authorized under this permit to take or assist in the taking of market squid for commercial purposes, including taking market squid for live bait purposes.

Use of Lights to attract squid (Market Squid Vessel Permits ONLY)

- ☐ **1. Add regulation.** Lights may also be used as specified in regulation to aggregate squid for purposes of commercial harvest by the permitted vessel, however, lighting for purposes of commercial harvest by other vessels is not authorized (i.e., market squid vessels MAY NOT act as a lightboat to other vessels).
- ☐ **2. Maintain current regulations.** Lights may also be used as specified in regulation to aggregate squid for purposes of commercial harvest (i.e., market squid vessels MAY act as a lightboat to other vessels).

Transferability:

- ☐ **1. Market Squid Vessel Permits are designated as either transferable or non-transferable (20 year qualifiers would be non transferable).**

If chosen, then

A. Market Squid Vessel Permit - Transferable

Initial Issuance Criteria: A Market Squid Vessel Permit may be issued to an individual, partnership or corporation that is the owner of a commercial fishing vessel with a **Market Squid Vessel Permit for the 2003-04 permit year**, with

- ☐ **i. Window Period – Made minimum number of landings of market squid from**
 - ☐ **January 1, 1990, through November 12, 1999 or**
 - ☐ **January 1, 1990, through December 31, 2000 or**
 - ☐ **January 1, 1990, through December 31, 2001 or**
 - ☐ **January 1, 1990, through December 31, 2002**
- ☐ **ii. Minimum Number of Landings – Made at least**
 - ☐ **50 or**
 - ☐ **75 or**
 - ☐ **100 or**
 - ☐ **125 or**
 - ☐ **150 landings during window period**

B. Market Squid Vessel Permit – Non Transferable

- ☐ **65,500 – 111,600** short tons of market squid may be taken.
If chosen,
A seasonal catch limitation of _____ short tons of market squid may be taken south of Pt. Conception.

Effort Limits

Daily Trip Limits (Section 149(f)) (*MSFMP Management Option C*)

- ☐ **Option A – Add Daily Trip Limits.**
If Option A chosen, then,
1. Set Daily Trip Limits:
A. Market Squid Vessels: no more than
☐ **30-138** short tons of market squid may be taken per calendar day.
If chosen,
A daily trip limit of _____ short tons of market squid may be taken per calendar day.
- And/Or**
B. Brail Vessels: no more than
☐ **15 short tons** of market squid may be taken per calendar day.

Weekend Closures (Section 149(a)) (*MSFMP Management Option D*)

- ☐ **Option A – Maintain** Statewide Weekend Closures (Noon Friday –noon Sunday).
- ☐ **Option B – Eliminate** Statewide Weekend Closures.
- ☐ **Option C – Maintain** Statewide Weekend Closures, **Except in the Channel Islands National Marine Sanctuary.**
- ☐ **Option D – Maintain** Statewide Weekend Closures, **And Extend** the range of closure to include additional days and/or times for areas north of Point Conception.
If Option D chose, then
1. Add Additional Days:
☐ Noon **Monday**,
☐ Noon **Tuesday**,
☐ Noon **Wednesday**,
☐ Noon **Thursday**,
- And/Or**
2. Additional Times: (restrict fishing to 12 hrs / day)
☐ **12:00 a.m. – 12:00 p.m. (Midnight to Noon)**
☐ **12:00 p.m. – 12:00 a.m. (Noon to Midnight)**

Decisions for the Market Squid Fishery Management Plan and Implementing Regulations

(Proposed Addition of 53.00 et seq, 149.1, 149.2, 149.3, and 149.4,
And Amendment of Section 149, Title 14, CCR)

FOR DISCUSSION PURPOSES ONLY – SEE PROPOSED REGULATIONS FOR SPECIFIC LANGUAGE

Key

Subject (Section of Title 14 CCR) (*Corresponding Management Option in the MSFMP*)

Decision must be made to maintain or eliminate current regulations, modify current regulations, or add new regulations. Underlined options are Department preferred options.

Fishery Control Rules

Fishery control rules are the primary mechanisms for achieving sustainable use, preventing overfishing, preserving habitat, rebuilding depressed stocks, and recognizing the importance of non-consumptive uses. They provide a protocol for determining sustainable levels of market squid fishing that is enforced through the adoption of the specific management tools presented below.

Catch Limits

Seasonal Catch Limitation (Section 149(e)) (*MSFMP Management Option A*)

- ☐ **Option A – Maintain** Existing Provisions for a Catch Limit (125,000 short tons); **Consider Changes to the Allowable Volume.**

If Option A chosen, then,

Set Catch Limitation: a total of not more than:

☐ **125,000** (current interim regulation) **or**

☐ **118,000** **or**

☐ **80,000** **or**

☐ **24,000 – 125,000** short tons of market squid may be taken statewide.

If chosen,

A seasonal catch limitation of _____ short tons of market squid may be taken statewide.

- ☐ **Option B – Eliminate** Existing Provisions (No seasonal Catch Limitation).
- ☐ **Option C – Use El Niño Events to Determine the Allowable Harvest Level** (will require additional regulations).
- ☐ **Option D – Establish** Seasonal Catch Limits Regionally.
- If Option D chosen, then,
- Set Catch Limitations for each region.**
- 1. North of Pt. Conception:**

☐ **7,600** **or**

☐ **5,500** **or**

☐ **6,000** **or**

☐ **5,500 – 27,800** short tons of market squid may be taken.

If chosen,

A seasonal catch limitation of _____ short tons of market squid may be taken north of Pt. Conception.

2. South of Pt. Conception:

☐ **65,500** **or**

☐ **69,600** **or**

☐ **111,600** **or**